

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

RICHARD HANS NORLAND,

Case No. 6:12-cv-1641-AA

Plaintiff,

OPINION AND ORDER

v.

BRIAN T. MOYNIHAN, et al.,

Defendants.

AIKEN, Chief Judge:

On September 11, 2012, plaintiff filed suit alleging numerous claims against defendants, presumably regarding the foreclosure sale of his property and a pending forcible entry and detainer action against plaintiff in state court. Plaintiff now moves for a preliminary injunction to set aside the foreclosure sale of his property that occurred on January 18, 2012 and to stay the forcible entry and detainer action. The motion is denied.

First, plaintiff apparently has not served defendants with his complaint or motion at any time during the pendency of these proceedings. Second, plaintiff cannot establish the likelihood of irreparable harm. See Winter v. Natural Res. Def. Council, 555 U.S. 7, 20 (2008). The foreclosure of plaintiff's property allegedly occurred several months ago, and plaintiff is able to address the legality of the forcible entry and detainer action in the state courts. Therefore, plaintiff fails to establish that he is entitled to preliminary injunctive relief.

CONCLUSION

Plaintiff's motion for temporary injunctive relief (doc. 2) is DENIED.

IT IS SO ORDERED.

Dated this 2nd day of November, 2012.

A handwritten signature in cursive script, appearing to read "Ann Aiken", is written over a horizontal line.

Ann Aiken
United States District Judge